

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COUNCIL 16 NORTHERN
CALIFORNIA HEALTH AND WELFARE
TRUST FUND, et al.,

No. C 09-03801 JSW

Plaintiffs,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

v.

NOE MARTINEZ GARFIAS, individually and
d/b/a Garfias Flooring Designs a/k/a Garfias
Flooring Designs, Inc.,

Defendant.

This matter comes before the Court upon consideration of the Report and Recommendation ("Report") issued by Magistrate Judge James Larson, in which he recommends that the Court grant Plaintiffs' motion for default judgment. There have been no objections filed thereto. Having considered the Report, the parties' papers, relevant legal authority, and the record in this case, the Court finds the Report thorough and well reasoned and adopts it in every respect. Pursuant to Judge Larson's recommendation, if after Plaintiffs conduct an audit of Defendant, they discover additional amounts due and owing and incur additional fees and costs, Plaintiffs shall submit an additional detailed recommendation explaining how they calculated any amounts Plaintiffs seek to collect. Plaintiffs shall submit that declaration to Judge Larson in the first instance for purposes of preparing a report and recommendation on whether to amend the Judgment in this action.

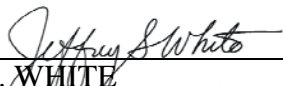
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1 Accordingly, Plaintiffs' motion for default judgment is granted. A separate judgment
2 shall issue, and the Clerk is directed to close the file.

3 **IT IS SO ORDERED.**

4 Dated: May 11, 2010


5 JEFFREY S. WHITE
6 UNITED STATES DISTRICT JUDGE
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